

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: : Bankruptcy No. 22-22005-CMB
: :
LOCKHART CHEMICAL COMPANY : Chapter 7
: :
Debtor : :
: :
Natalie Lutz Cardiello, Trustee : :
: :
Movant : :
: :
v. : :
: :
No Respondent(s) : :

**EXPEDITE MOTION FOR AUTHORITY
TO OPERATE DEBTOR'S BUSINESS NUNC PRO TUNC**

AND NOW, comes Natalie Lutz Cardiello, Interim Trustee, by her undersigned counsel, Natalie Lutz Cardiello, Esquire, and hereby files this Motion pursuant to §721 of Title 11 of the United States Bankruptcy Code (“Code”) seeking an order for Authority to Operate Debtor’s Business Nunc Pro Tunc for a limited period of time and scheduling an expedited hearing thereon. In support hereof, the Movant respectfully states as follows:

1. This case was commenced by the filing of a voluntary petition under Chapter 7 of the Code on October 10, 2022.
2. The Movant is Natalie Lutz Cardiello, Interim Trustee.
3. Prior to the commencement of this case, the Debtor was manufacturing and globally marketing a wide range of additives for formulating rust preventives, corrosion inhibitors, emulsifier packages and other processing additives for metalworking and greases (“Product”).
4. Most of the Product is held at the Debtor’s property located at 4302 James P. Cole Blvd, Flint, MI 48505 (“Real Estate”), or at a warehouse located at 2402 N. Dort Highway, Flint, MI 48506 (“Warehouse”).

5. The Product, if not properly handled, can lead to contamination of soil and the Flint River. This is an ongoing process that requires continued observation and the removal of water from the premises.

6. In addition, the Trustee, upon discussions with various employees of the Debtor and its consultants, believes that the Product has value to the estate.

7. Some of the Product has been shipped and other Product is ready for shipping. It is anticipated that this will generate income for the estate as well as remove Product from the Real Estate. The Trustee is hopeful that this can be resolved within the next six (6) months.

8. The petition has not yet been completed and, as such, the Trustee has limited information with regard to the Debtor's liabilities. However, the Trustee has had numerous discussions with counsel for the Debtor, Paul Cordaro, Esquire, as well as the Debtor's employees, consultants, the Assistant Attorney General for the Michigan Department of Attorney General, Environment, Natural Resources, and Agriculture Division, and will continue to work with these individuals and representatives of the various entities to comply with the various requirements to operate the Debtor's Business.

9. The Debtor's current employees were paid through Friday, October 14, 2022. The Trustee needs to retain and pay certain employees to handle administrative matters, monitor the environmental and safety conditions at the Real Property, assist in the collection of receivables, transfer product from the Warehouse to the Real Property, etc. The Trustee also needs to retain and pay contractors and possibly a consultant to work with the Trustee and various governmental agencies, including Energy Great Lakes and Environmental Protection ("EGLE"), in connection with these matters, and pay other administrative expenses as incurred, including but not limited to utilities, maintenance and insurance premiums and to do all other things which in the discretion of the Trustee are advisable in the operation of such business.

10. The Trustee seeks authority to pay these necessary expenses to maintain and protect the Product and the Real Estate.

11. The Trustee will keep the Court apprised of her progress and the status of this matter by filing a status report on a periodic basis.

12. The Trustee will request an extension of time in the event that the above matters cannot be accomplished within a six (6) month period of time.

13. The Trustee has sufficient funds to pay these expenses at this time.

14. The need for an expedited hearing has not been caused by any lack of due diligence on the part of the Trustee, but has been brought about solely by the circumstances of this case.

WHEREFORE, the Trustee moves that the Court grant an expedited hearing on this matter and enter an order substantially in the form attached hereto.

Respectfully submitted,

Dated: October 19, 2022

/s/Natalie Lutz Cardiello, Esquire
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